1993-2009 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

\$0 to

\$0 to

\$50,000 \$100,000

Estimated Liabilities

\$500,000

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\$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001

\$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001

\$1 million

\$10 million

\$10 million

\$1 million

Case 09-10125 **B1** (Official Form 1) (1/08) Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Doc 1 Document Page 1 of 36 **United States Bankruptcy Court** Voluntary Petition **Northern District of Illinois** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Da Silva, Anthony O. All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Kolade A. Da-Silva Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 2501 EIN (if more than one, state all): Street Address of Debtor (No. & Street, City, State & Zip Code): Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 24379 Liberty Street Crete, IL **ZIPCODE 60417** ZIPCODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Will Mailing Address of Debtor (if different from street address) Mailing Address of Joint Debtor (if different from street address): ZIPCODE ZIPCODE Location of Principal Assets of Business Debtor (if different from street address above): ZIPCODE Type of Debtor Chapter of Bankruptcy Code Under Which **Nature of Business** (Form of Organization) (Check **one** box.) the Petition is Filed (Check one box.) (Check one box.) Chapter 15 Petition for Health Care Business Chapter 7 ✓ Individual (includes Joint Debtors) Single Asset Real Estate as defined in 11 Chapter 9 Recognition of a Foreign U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Chapter 11 Main Proceeding Corporation (includes LLC and LLP) Railroad Chapter 12 Chapter 15 Petition for Stockbroker Partnership ✓ Chapter 13 Recognition of a Foreign Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding check this box and state type of entity below.) Clearing Bank **Nature of Debts** Other (Check one box.) Debts are primarily Debts are primarily consumer Tax-Exempt Entity debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an (Check box, if applicable.) Debtor is a tax-exempt organization under individual primarily for a personal, family, or house-Title 26 of the United States Code (the Internal Revenue Code). hold purpose." Filing Fee (Check one box) **Chapter 11 Debtors** Check one box: Full Filing Fee attached Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must Check all applicable boxes: A plan is being filed with this petition

Accentances of the attach signed application for the court's consideration. See Official Form 3B. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors  $\checkmark$ 50,001-200-999 1.000-5,001-25,001-1-49 100-199 10,001-Over 100,000 5,000 10,000 25,000 50,000 100,000 Estimated Assets  $\checkmark$ 

\$50,000,001 to

\$50,000,001 to

to \$50 million \$100 million

to \$50 million \$100 million

\$100,000,001

\$100,000,001

to \$500 million to \$1 billion

to \$500 million to \$1 billion

\$500,000,001 More than

\$500,000,001 More than

\$1 billion

(This page must be completed and filed in every case)	Da Silva, Anthony O.	
Prior Bankruptcy Case Filed Within Last 8	8 Years (If more than two, attach	additional sheet)
Location Where Filed: NDIL	Case Number: <b>05-17524</b>	Date Filed: <b>5/4/2005</b>
Location Where Filed: <b>N/A</b>	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If mo	re than one, attach additional sheet)
Name of Debtor: None	Case Number:	Date Filed:
District:	Relationship:	Judge:
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.	(To be completed whose debts are properties of the petitioner of that I have informed the petition chapter 7, 11, 12, or 13 of the explained the relief available under the complete of the co	xhibit B  if debtor is an individual rimarily consumer debts.)  named in the foregoing petition, declare mer that [he or she] may proceed under tle 11, United States Code, and have ader each such chapter. I further certify he notice required by § 342(b) of the
	X /s/ Karen Walin	3/23/09
	Signature of Attorney for Debtor(s)	Date
Exhi  (To be completed by every individual debtor. If a joint petition is filed, ex  Exhibit D completed and signed by the debtor is attached and ma  If this is a joint petition:  Exhibit D also completed and signed by the joint debtor is attached.	nde a part of this petition.	ach a separate Exhibit D.)
		nis District for 180 days immediately
☐ There is a bankruptcy case concerning debtor's affiliate, general p	partner, or partnership pending in	this District.
Debtor is a debtor in a foreign proceeding and has its principal pl or has no principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg	but is a defendant in an action or pr	oceeding [in a federal or state court]
Certification by a Debtor Who Reside (Check all app  Landlord has a judgment against the debtor for possession of deb	plicable boxes.)	•
(Name of landlord or lesse		
	or that obtained judgment)	
	adlord or lessor)	
(Name of landlord or lesso	4	

the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Doc 1 Filed 03/24/09

Document

Case 09-10125 B1 (Official Form 1) (1/08)

filing of the petition.

**Voluntary Petition** 

Entered 03/24/09 22:56:12

Page 2 of 36

Name of Debtor(s): **Da Silva, Anthony O.** 

Desc Main

Page 2

Page 3 of 36

Page 3

# **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s): Da Silva, Anthony O.

# **Signatures**

## Signature(s) of Debtor(s) (Individual/Joint)

Doc 1

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ Anthony O. Da Silva

Signature of Debtor

Anthony O. Da Silva

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

March 23, 2009

Date

Χ

# Signature of Attorney\*



Signature of Attorney for Debtor(s)

Karen Walin 0619282 Law Office Of Karen Walin 13161 W. 143rd Street #102 Homer Glen, IL 60491-6667 (708) 645-0710 Fax: (708) 645-0726 kwalin@quixnet.net

# March 23, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of	Authorized Individ	ual	
Printed Name	of Authorized Ind	lividual	

## Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

Date

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
- ☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signat	ture of Foreign	Representative		
Drinto	d Nama of For	eign Representativ	10	

#### **Signature of Non-Attorney Petition Preparer**

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address
---------

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

Case 09-10125

Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12

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B1D (Official Form 1, Exhibit D) (12/08)

Page 4 of 36 Document **United States Bankruptcy Court** Northern District of Illinois

IN RE:		Case No.
Da Silva, Anthony O.		Chapter 13
	Debtor(s)	1

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities. Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed. 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district. I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Anthony O. Da Silva

Date: March 23, 2009

B6 Summary (Case 09-10125<sub>07)</sub> Doc 1

Filed 03/24/09

Entered 03/24/09 22:56:12 Desc Main

Document Page 5 of 36 United States Bankruptcy Court **Northern District of Illinois** 

IN RE:		Case No
Da Silva, Anthony O.		Chapter 13
<u> </u>	Debtor(s)	•

# SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 375,000.00		
B - Personal Property	Yes	3	\$ 1,200.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$ 380,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		\$ 16,243.03	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$ 1,825.36
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$ 1,675.00
	TOTAL	12	\$ 376,200.00	\$ 396,243.03	

Form 6 - Statistical Stummary (1207) Doc 1 F

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# Document Page 6 of 36 United States Bankruptcy Court Northern District of Illinois

IN RE:	Case No
Da Silva, Anthony O.	Chapter 13
Da Silva. Anthony O.	Chapter 13

# STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Debtor(s)

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ 0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0.00
Student Loan Obligations (from Schedule F)	\$ 0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ 0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ 0.00
TOTAL	\$ 0.00

# **State the following:**

Average Income (from Schedule I, Line 16)	\$ 1,825.36
Average Expenses (from Schedule J, Line 18)	\$ 1,675.00
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C	
Line 20)	\$ 1,302.24

# **State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 10,000.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 16,243.03
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 26,243.03

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(If known)

IN RE Da Silva, Anthony O.

Debtor(s)

Case No.

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
1/2 interest in the residence 24379 Liberty Street Crete, IL 60417	Tenancy by the Entirety	J	370,000.00	380,000.00
1/2 interest in Timeshare one week The Palms country Club and Resort, A condominium	Fee Simple	J	5,000.00	0.00

TOTAL

375,000.00

(Report also on Summary of Schedules)

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IN RE Da Silva, Anthony O.

IL Page 8 01 30

Case No. \_\_\_

Debtor(s)

(If known)

Desc Main

# **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.  3. Security deposits with public utilities, telephone companies, landlords, and others.  4. Household goods and furnishings, include audio, video, and computer equipment.  5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Checking Account  500.0  Miscellaneous household goods and furnishings 500.0		TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.  3. Security deposits with public utilities, telephone companies, landlords, and others.  4. Household goods and furnishings, include addio, video, and computer equipment.  5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  6. Wearing apparel.  7. Furs and jewelry.  8. Firearms and sports, photographic, and other hobby equipment.  9. Interest in insurance opticies. Name insurance company of each policy and itemize surrender or refund value of each.  10. Annutites. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § \$30(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § \$35(b)(1). Give particulars. (File separately the record(s) of any such interest(s), 11 U.S.C. § \$21(c)).  12. Interests in interests in incorporated and unincorporated businesses. Itemize.  13. Stock and interests in incorporated and unincorporated businesses.  14. Interests in partnerships or joint  X	1.	Cash on hand.	Х			
telephone companies, landlords, and others.  Household goods and furnishings, include audio, video, and computer equipment.  Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Wearing apparel.  Furs and jewelry.  Interest in insurance policies, Name insurance company of each policy and itemize surrender or refund value of each.  Annutities. Itemize and name each issue.  Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). I1 U.S.C. § 521(c.)  Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  Stock and interests in incorporated and unincorporated businesses. Itemize.  Interests in partnerships or joint  X		accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	,	Checking Account		500.00
include audio, video, and computer equipment.  Se Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  6. Wearing apparel.  7. Furs and jewelty.  8. Firearms and sports, photographic, and other hobby equipment.  9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  10. Annuities. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 530(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint	3.	telephone companies, landlords, and	X			
antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  6. Wearing apparel.  7. Furs and jewelry.  8. Firearms and sports, photographic, and other hobby equipment.  9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  10. Annuities. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint	4.	include audio, video, and computer		Miscellaneous household goods and furnishings		500.00
7. Furs and jewelry.  8. Firearms and sports, photographic, and other hobby equipment.  9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  10. Annuities. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint	5.	antiques, stamp, coin, record, tape, compact disc, and other collections or	X			
8. Firearms and sports, photographic, and other hobby equipment.  9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  10. Annuities. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint	6.	Wearing apparel.		Necessary wearing apparel		200.00
and other hobby equipment.  9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  10. Annuities. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint	7.	Furs and jewelry.	l			
insurance company of each policy and itemize surrender or refund value of each.  10. Annuities. Itemize and name each issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint	8.					
issue.  11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1).  Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint  X	9.	insurance company of each policy and itemize surrender or refund value of	X			
defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1).  Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint  X	10.					
other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint  X	11.	defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11				
and unincorporated businesses. Itemize.  14. Interests in partnerships or joint  X	12.	other pension or profit sharing plans.	X			
- · · · · · · · · · · · · · · · · · · ·	13.	and unincorporated businesses.	X			
	14.	Interests in partnerships or joint	Х			

Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Document

Page 9 of 36

(If known)

IN RE Da Silva, Anthony O.

\_ Case No. \_\_ Debtor(s)

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15.	Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26.	Boats, motors, and accessories.	X			
	Aircraft and accessories.	X			
	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			

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IN RE Da Silva, Anthony O.

Filed 03/24/09 Doc 1 Document

Page 10 of 36

Entered 03/24/09 22:56:12 Desc Main

(If known)

Debtor(s)

Case No. \_

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X X			
35. Other personal property of any kind not already listed. Itemize.	^			
			L_	
		TO	TAL	1,200.00

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Filed 03/24/09 Document Entered 03/24/09 22:56:12 Page 11 of 36 Desc Main

IN RE Da Silva, Anthony O.

Debtor(s)

Case No. \_\_\_\_\_(If known)

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under: (Check one box)

☐ Check if debtor claims a homestead exemption that exceeds \$136,875.

11 U.S.C. § 522(b)(2) 11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
CHEDULE A - REAL PROPERTY			130-130
/2 interest in the residence 4379 Liberty Street crete, IL 60417	735 ILCS 5 §12-901	15,000.00	370,000.00
/2 interest in Timeshare ne week he Palms country Club and Resort, A ondominium	735 ILCS 5 §12-1001(b)	3,500.00	5,000.00
CHEDULE B - PERSONAL PROPERTY			
Checking Account	735 ILCS 5 §12-1001(b)	500.00	500.00
lecessary wearing apparel	735 ILCS 5 §12-1001(a)	200.00	200.00

IN RE Da Silva, Anthony O

Filed 03/24/09 Document Entered 03/24/09 22:56:12

Page 12 of 36

Case No.

Debtor(s)

(If known)

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.	Х		mortgage on 24379 Liberty Street, Crete,				380,000.00	10,000.00
CitiMortgage Inc P O Box 18340 Columbus, OH 43218-3040			VALUE \$ 370,000.00					
ACCOUNT NO.			VALUE # 370,000.00	H	H			
ACCOUNT NO.			VALUE \$					
			VALUE \$	┝				
ACCOUNT NO.			VALUE \$					
0 continuation sheets attached			(Total of th		otota		\$ 380,000.00	\$ 10,000.00
			(Use only on la		Tota page		\$ 380,000.00	\$ 10,000.00

(Report also on Summary of Schedules.) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

Filed 03/24/09 Document Entered 03/24/09 22:56:12 Page 13 of 36

Case No.

IN RE Da Silva, Anthony O.

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Debtor(s)

(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Sanistical Summary of Certain Liabilities and Related Data.										
Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.										
Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.										
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)										
Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).										
Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).										
Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).										
Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).										
Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).										
Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).										
Taxes and Certain Other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).										
Commitments to Maintain the Capital of an Insured Depository Institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).										
Claims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).										
* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.										
0 continuation sheets attached										

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Debtor(s)

IN RE Da Silva, Anthony O.

Case No.

(If known)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

	_						
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 3459			opened 8/2008				
Arrow Financial Service 5996 W Touhy Ave Niles, IL 60714	-		HSBC Card Services, Inc				3,278.00
ACCOUNT NO. <b>3372</b>			opened 2/06				·
Capital One P O Box 30281 Salt Lake City, UT 84130-0281	-						3,521.00
ACCOUNT NO. 1659			lawsuit filed on behalf of Capital One Bank				
Capital One Bank C/O Louis S Freedman P O Box 3228 Naperville, IL 60566-7228	-						7,260.03
ACCOUNT NO. <b>2509</b>			account opened 6/2007				
HSBC P O Box 19360 Portland, OR 97280	-						2,184.00
_				Sub	tota	ıl	
continuation sheets attached			(Total of th	-	_	1	\$ 16,243.03
			(Use only on last page of the completed Schedule F. Report the Summary of Schedules and, if applicable, on the St Summary of Certain Liabilities and Relate	als tatis	tica	n ıl	\$ 16,243.0 <b>3</b>

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IN RF Da Silva Anthony O			Case No.		

Debtor(s)

(If known)

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

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03/24/09 Document

Entered 03/24/09 22:56:12 Page 16 of 36

Desc Main

(If known)

IN RE Da Silva, Anthony O.

Debtor(s)

Case No. \_

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

CitiMortgage Inc P O Box 18340 Columbus, OH 43218-3040

Filed 03/24/09 Document Entered 03/24/09 22:56:12 Page 17 of 36 Desc Main

(If known)

IN RE Da Silva, Anthony O.

Debtor(s)

Case No.

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on From 22A, 22B, or 22C.

Debtor's Marital Status	3	DEPENDENTS OF DE	EBTOR AND	SPOU	SE		
Separated		RELATIONSHIP(S):				AGE(S):	
		Daughter				6	
		Son				7	
EMPLOYMENT:		DEBTOR			SPOUSE		
Occupation	PRSC						
Name of Employer	Lydia Healtho	care LLC					
How long employed	1 years						
Address of Employer	13901 S Lydia	a					
	Robbins, IL 6						
INCOME: (Estima	ate of average of	r projected monthly income at time case filed)			DEBTOR		SPOUSE
	_		-)	ф		Φ	SI OUSL
2. Estimated month		lary, and commissions (prorate if not paid monthly	/)	\$	2,070.55	\$	
3. SUBTOTAL	,			\$	2,070.55	\$	
4. LESS PAYROL	I DEDUCTION	10		Ψ —		<u> </u>	
a. Payroll taxes a				\$	210.52	\$	
b. Insurance	ina sociai secui	ity		\$ ——	210.32	\$ ——	
c. Union dues				Ψ —— \$		ψ ——	
d. Other (specify	) Union			ψ —	34.67	\$	
u. Other (speerly)	, <u>c</u>			\$		\$	
5. SUBTOTAL O	F PAYROLL D	DEDUCTIONS		\$	245.19	\$	
6. TOTAL NET M	ONTHLY TA	KE HOME PAY		\$	1,825.36	\$	
				•		Φ.	
		of business or profession or farm (attach detailed st	tatement)	\$		\$	
8. Income from rea				\$		\$	
9. Interest and divid				<b>»</b> —		<b>5</b>	
		ort payments payable to the debtor for the debtor's	use or	¢		Φ	
that of dependents 11. Social Security		ment essistance		\$		<b>a</b>	
				Φ		Ф	
(Specify)				ф —		ф ——	
12. Pension or retin	comont incomo			φ —		φ	
13. Other monthly				Ψ		Ψ	
(C :C)				\$		\$	
(Specify)				Ψ ——		ψ ——	
				\$ —		\$ ——	
14. SUBTOTAL (	OF LINES 7 TH	IROUGH 13		\$		\$	
15. AVERAGE M	ONTHLY INC	<b>COME</b> (Add amounts shown on lines 6 and 14)		\$	1,825.36	\$	
16 COMRINED	AVERAGE MO	ONTHLY INCOME: (Combine column totals from	m line 15.				
		otal reported on line 15)	11110-13,		\$	1,825.3	36
-	_				also on Summary of Sch I Summary of Certain L		
				Statistica	a parinika y di Utitalli L	mointies ailu	reaction Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

Filed 03/24/09 Document

Entered 03/24/09 22:56:12 Page 18 of 36

Desc Main

IN RE Da Silva, Anthony O.

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Debtor(s)

Case No. \_\_\_\_\_(If known)

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorat quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the de on Form22A or 22C.	e any payments made biweekly, eductions from income allowed
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete	e a separate schedule of
expenditures labeled "Spouse."	
1. Rent or home mortgage payment (include lot rented for mobile home)	\$500.00
a. Are real estate taxes included? Yes No _✓_	
b. Is property insurance included? Yes No <u>✓</u>	
2. Utilities:	
a. Electricity and heating fuel	\$
b. Water and sewer	\$
c. Telephone	\$
d. Other	\$
	\$
3. Home maintenance (repairs and upkeep)	\$
4. Food	\$ 340.00
5. Clothing	\$ 40.00
6. Laundry and dry cleaning	\$ 35.00
7. Medical and dental expenses	\$ 40.00
8. Transportation (not including car payments)	\$ 150.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$
10. Charitable contributions	\$
11. Insurance (not deducted from wages or included in home mortgage payments)	
a. Homeowner's or renter's	\$
b. Life	\$
c. Health	\$
d. Auto	\$ 50.00
e. Other	\$
	<u> </u>
12. Taxes (not deducted from wages or included in home mortgage payments)	
(Specify)	\$
	\$
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)	
a. Auto	\$
b. Other	\$
	<u>*</u>
14. Alimony, maintenance, and support paid to others	\$ 450.00
15. Payments for support of additional dependents not living at your home	\$
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$
17. Other	\$
	\$
	\$
<b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and, if	
applicable, on the Statistical Summary of Certain Liabilities and Related Data.	\$ 1,675.00

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document: **None** 

# 20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I	\$ 1,825.36
b. Average monthly expenses from Line 18 above	\$1,675.00
c. Monthly net income (a. minus b.)	\$ 150.36

(If known)

(Print or type name of individual signing on behalf of debtor)

IN RE Da Silva, Anthony O.

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Debtor(s)

Case No.

# DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 14 sheets, and that they are true and correct to the best of my knowledge, information, and belief. Date: March 23, 2009 Signature: /s/ Anthony O. Da Silva Debtor Anthony O. Da Silva Signature: (Joint Debtor, if any) [If joint case, both spouses must sign.] DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110) I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section. Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. § 110.) If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document. Address Signature of Bankruptcy Petition Preparer Date Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual: If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person. A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156. DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief. Signature:

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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IN RE:		Case No.
Da Silva, Anthony O.		Chapter 13
	Debtor(s)	

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 -25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. I1 U.S.C. § 101.

#### 1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE 20,490.26 2008 wages 4,207.00 2009 wages 7,226.00 2007 wages

# 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 3. Payments to creditors

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	Payments related to debt counseling or bankruptcy		
None	_ Eist an losses from the, there, other eastarty of gameing within	ter 12 or chapter 13 must include losses by either	
8. Lo	Losses		
None	Elist an girts of charitable contributions made within one year in	dividual family member and charitable contribut 13 must include gifts or contributions by either	ions aggregating less than \$100
7. Gi	Gifts		
None	of Elst an property which has been in the hands of a custodian, i	12 or chapter 13 must include information conce	
None	a. Describe any assignment of property for the benefit of electron		
6. As	Assignments and receiverships		
5. Re	Eist an property that has been repossessed by a creation, sold at a	ement of this case. (Married debtors filing under	r chapter 12 or chapter 13 must
None	o. Describe an property that has been attached, garmoned or serze	hapter 12 or chapter 13 must include informatio	n concerning property of either
AND Capi	APTION OF SUIT ID CASE NUMBER ID CASE NUMBER ID CASE NUMBER ID CASE NUMBER IN NATURE OF PROCEEDING Collection ISIIVA, 09 SC 1659	COURT OR AGENCY AND LOCATION In the Circuit Court of the 12th Judicial Circuit, Will County, Illinois	STATUS OR DISPOSITION return date 3/26/2009
None	<ul> <li>a. List all suits and administrative proceedings to which the deb</li> <li>bankruptcy case. (Married debtors filing under chapter 12 or chanot a joint petition is filed, unless the spouses are separated and</li> </ul>	pter 13 must include information concerning eit	
4. Su	Suits and administrative proceedings, executions, garnishments a	and attachments	
None	e. The destors. Else air payments made within one year minicena	2 or chapter 13 must include payments by either	
None	one b. Debtor whose debts are not primarily consumer debts: List ea	ach payment or other transfer to any creditor may alue of all property that constitutes or is affect *) any payments that were made to a creditor on plan by an approved nonprofit budgeting and credents and other transfers by either or both spouse.	ed by such transfer is less than account of a domestic support dit counseling agency. (Married
	Document	Page 21 of 36	

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main

NAME AND ADDRESS OF PAYEE Karen Walin 13161 W 143rd St Homer Glen, IL 60491

of this case.

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DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 3/24/2009

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement

AMOUNT OF MONEY OR DESCRIPTION
AND VALUE OF PROPERTY
400.00

Case 09-10125	Doc 1	Filed 03/24/09	Entered 03/24/09 22:56:12	Desc Main
		Document	Page 22 of 36	

#### 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

# 11. Closed financial accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 12. Safe deposit boxes

None List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 13. Setoffs

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 14. Property held for another person

List all property owned by another person that the debtor holds or controls.

 $\checkmark$ 

#### 15. Prior address of debtor

If debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

NAME USED

18832 Chestnut Street, Country Club Hills, II 60478

DATES OF OCCUPANCY

-12/2006

# 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

#### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

Case 09-10125	Doc 1	Filed 03/24/09	Entered 03/24/09 22:56:12	Desc Main
		Document	Page 23 of 36	

None

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Non

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

#### 18. Nature, location and name of business

None

a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

Non

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

 $\checkmark$ 

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: <b>March 23, 2009</b>	Signature /s/ Anthony O. Da Silva	
	of Debtor	Anthony O. Da Silva
Date:	Signature	
	of Joint Debtor	
	(if any)	
	•	

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.

**0** continuation pages attached

# Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Document Page 24 of 36 United States Bankruptcy Court Northern District of Illinois

Joint Debtor

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Document Page 25 of 36

Da Silva, Anthony O. 24379 Liberty Street Crete, IL 60417

Law Office Of Karen Walin 13161 W. 143rd Street #102 Homer Glen, IL 60491-6667

Arrow Financial Service 5996 W Touhy Ave Niles, IL 60714

Capital One P O Box 30281 Salt Lake City, UT 84130-0281

Capital One Bank C/O Louis S Freedman P O Box 3228 Naperville, IL 60566-7228

CitiMortgage Inc P O Box 18340 Columbus, OH 43218-3040

HSBC P O Box 19360 Portland, OR 97280

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Document Page 26 of 36 United States Bankruptcy Court Northern District of Illinois

IN	NRE:		Case No.
Da	a Silva, Anthony O.		Chapter 13
	Debtor(s	,	
	DISCLOSURE OF	COMPENSATION OF ATTORNEY	Y FOR DEBTOR
1.		or agreed to be paid to me, for services rendered or to	amed debtor(s) and that compensation paid to me within be rendered on behalf of the debtor(s) in contemplation
	For legal services, I have agreed to accept		\$\$
	Prior to the filing of this statement I have received		\$400.00
	Balance Due		\$\$,100.00
2.	The source of the compensation paid to me was:	ebtor Other (specify):	
3.	The source of compensation to be paid to me is:	ebtor Other (specify):	
4.	I have not agreed to share the above-disclosed com	pensation with any other person unless they are memb	pers and associates of my law firm.
	I have agreed to share the above-disclosed compen together with a list of the names of the people shari		s or associates of my law firm. A copy of the agreement,
5.	In return for the above-disclosed fee, I have agreed to re	nder legal service for all aspects of the bankruptcy cas	se, including:
6.	b. Preparation and filing of any petition, schedules, st	itors and confirmation hearing, and any adjourned hea ags and other contested bankruptey matters;	
		CERTIFICATION	
	certify that the foregoing is a complete statement of any a proceeding.	greement or arrangement for payment to me for repres	sentation of the debtor(s) in this bankruptcy
-	March 23, 2009	/s/ Karen Walin	
	Date	Karen Walin 0619282 Law Office Of Karen Walin 13161 W. 143rd Street #102 Homer Glen, IL 60491-6667 (708) 645-0710 Fax: (708) 645-0726 kwalin@quixnet.net	

# UNITED STATES BANKRUPTCY COURT

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

# 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

# 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

# Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

B201 Page 2

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

# **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

# **Chapter 12:** Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

# 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

Printed Name and title, if any, of Bankruptcy Petition Preparer

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Address:

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### Certificate of [Non-Attorney] Bankruptcy Petition Preparer

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this notice required by  $\S 342(b)$  of the Bankruptcy Code.

Social Security number (If the bankruptcy

petition preparer is not an individual, state

X	the Social Security nur principal, responsible j the bankruptcy petition (Required by 11 U.S.C	person, or partner of preparer.)
Signature of Bankruptcy Petition Preparer of officer, principal, repartner whose Social Security number is provided above.	esponsible person, or	
Certificate I (We), the debtor(s), affirm that I (we) have received and read the	e of the Debtor nis notice.	
Da Silva, Anthony O. Printed Name(s) of Debtor(s)	X /s/ Anthony O. Da Silva Signature of Debtor	<b>3/23/2009</b> Date
Case No. (if known)	X	Date

	Case 09-10125	Doc 1	Filed 03/24/09	Entered 03/24/09 22:56:12	Desc Main	
			_Document _	Page 29 of 36		
B22C (Of	ficial Form 22C) (Chap	pter 13) (01	/08)	According to the calculations required by this statement:		
				<b>▼</b> The applicable commitment period	od is 3 years.	
In re: Da S	Silva, Anthony O.			☐ The applicable commitment period is 5 years.		
	Debto	or(s)		☐ Disposable income is determined	under § 1325(b)(3).	
Case Num	ber:			Disposable income is not determine	nod under & 1325(b)(3)	

(If known)

# CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE INCOME

**☑** Disposable income is not determined under § 1325(b)(3).

(Check the boxes as directed in Lines 17 and 23 of this statement.)

In addition to Schedules I and J, this statement must be completed by every individual Chapter 13 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

	Part I. REPORT OF INCOME							
1	a. [							
1	the s	igures must reflect average monthly income receiv ix calendar months prior to filing the bankruptcy c th before the filing. If the amount of monthly incor divide the six-month total by six, and enter the res	ase, ending on the last day of the ne varied during the six months, you	Column A Debtor's Income	Column B Spouse's Income			
2	Gro	ss wages, salary, tips, bonuses, overtime, commi	ssions.	\$ 1,302.24	\$			
3	a and one l	me from the operation of a business, profession d enter the difference in the appropriate column(s) business, profession or farm, enter aggregate numb hment. Do not enter a number less than zero. <b>Do n</b> mses entered on Line b as a deduction in Part I						
	a.	Gross receipts	\$					
	b.	Ordinary and necessary operating expenses	\$					
	c.	Business income	Subtract Line b from Line a	\$	\$			
4	diffe	t and other real property income. Subtract Line rence in the appropriate column(s) of Line 4. Do n nclude any part of the operating expenses enter IV.						
7	a.	Gross receipts	\$					
	b.	Ordinary and necessary operating expenses	\$					
	c.	Rent and other real property income	Subtract Line b from Line a	\$	\$			
5	Inte	rest, dividends, and royalties.		\$	\$			
6	Pension and retirement income.				\$			
7	expe that	amounts paid by another person or entity, on a nses of the debtor or the debtor's dependents, i purpose. Do not include alimony or separate maine debtor's spouse.	\$	\$				

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main B22C (Official Form 22C) (Chapter 13) (01/08) Page 30 of 36

8	Unemployment compensation. Enter the amount in the appropriate column(s) of Line 8. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:						
	Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$	Spouse \$	S		\$	
9	Income from all other sources. Speci sources on a separate page. Total and emaintenance payments paid by your or separate maintenance. Do not include Act or payments received as a victim of international or domestic terrorism.  a.  b.	enter on Line 9. <b>Do not inc</b> <b>spouse, but include all ot</b> ude any benefits received u	lude alimon her paym ander the S	ony or separate ents of alimony Social Security	y	\$	
10	<b>Subtotal.</b> Add Lines 2 thru 9 in Colum through 9 in Column B. Enter the total		ompleted,	add Lines 2	\$ 1,302	.24 \$	
11	<b>Total.</b> If Column B has been complete and enter the total. If Column B has no Column A.				\$		1,302.24
	Part II. CALCULATION OF § 1325(b)(4) COMMITMENT PERIOD						
12	Enter the amount from Line 11.					\$	1,302.24
13	Marital Adjustment. If you are marric that calculation of the commitment per your spouse, enter the amount of the in basis for the household expenses of yo a.  b. c.	iod under § 1325(b)(4) doe come listed in Line 10, Co	es not requ lumn B tha	ire inclusion of at was NOT paid	the income of d on a regular		
	Total and enter on Line 13.					\$	0.00
14	Subtract Line 13 from Line 12 and e					\$	1,302.24
15	Annualized current monthly income for § 1325(b)(4). Multiply the amount from Line 14 by the number 12 and enter the result.					r \$	15,626.88
16	Applicable median family income. Enhousehold size. (This information is average the bankruptcy court.)						
	a. Enter debtor's state of residence: IIII	nois	_ b. Ente	er debtor's house	ehold size: 1	_ \$	47,355.00
17	Application of § 1325(b)(4). Check the applicable box and proceed as directed.  ✓ The amount on Line 15 is less than the amount on Line 16. Check the box for "The applicable commitment period is 3 years" at the top of page 1 of this statement and continue with this statement.  ☐ The amount on Line 15 is not less than the amount on Line 16. Check the box for "The applicable commitment period is 5 years" at the top of page 1 of this statement and continue with this statement.						
	Part III. APPLICATION OF	F § 1325(b)(3) FOR DE	TERMIN	NING DISPOS	SABLE INC	OME	
18	Enter the amount from Line 11.					\$	1,302.24

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main B22C (Official Form 22C) (Chapter 13) (01/08) Page 31 of 36

19	a.							
	Total and enter on L						\$	0.00
20					9 from Line 18 and enter th		\$	1,302.24
21	Annualized current in 12 and enter the result		ne for § 1325(b)	( <b>3</b> ). Mu	ltiply the amount from Line	20 by the number	\$	15,626.88
22	Applicable median fa	mily income.	Enter the amoun	t from l	Line 16.		\$	47,355.00
23	Application of § 1325(b)(3). Check the applicable box and proceed as directed.  ☐ The amount on Line 21 is more than the amount on Line 22. Check the box for "Disposable income is a under § 1325(b)(3)" at the top of page 1 of this statement and complete the remaining parts of this statement determined under § 1325(b)(3)" at the top of page 1 of this statement and complete Part VII of this statement complete Parts IV, V, or VI.						nent. ome is	s not
					ONS ALLOWED UND	, , ,		
	Subp	art A: Deduct	ions under Stan	dards	of the Internal Revenue S	ervice (IRS)		
24A	miscellaneous. Enter	in Line 24A the cable househol	e "Total" amoun	t from I	eping supplies, personal ca IRS National Standards for in is available at www.usdoj	Allowable Living	\$	
24B	National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Enter in Line b1 the number of members of your household who are under 65 years of age, and enter in Line b2 the number of members of your household who are 65 years of age or older. (The total number of household members must be the same as the number stated in Line 16b.) Multiply Line a1 by Line b1 to obtain a total amount for household members 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for household members 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 24B.  Household members 65 years of age  Household members 65 years of age or older							
	b1. Number of me			a2.	Allowance per member  Number of members			
	b1. Number of me	51110618		b2.	Subtotal		<b>\$</b>	
		using and usil	tion non marta			the IDS Housing	\$	
25A	and Utilities Standards	s; non-mortgag	e expenses for th	e appli	penses. Enter the amount of cable county and household lerk of the bankruptcy court	l size. (This	\$	

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Document Page 32 of 36 B22C (Official Form 22C) (Chapter 13) (01/08)

	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and household size (this information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 47; subtract Line b from Line a and enter the result in Line 25B. Do not enter an amount less than zero.					
25B	a. IRS Housing and Utilities Standards; mortgage/rental expense	\$				
	b. Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47	\$				
	c. Net mortgage/rental expense	Subtract Line b from Line a	\$			
26						
			\$			
	<b>Local Standards: transportation; vehicle operation/public transportation expense.</b> You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation.					
	Check the number of vehicles for which you pay the operating expenses or expenses are included as a contribution to your household expenses in Linu					
27A	$\square 0 \square 1 \square 2$ or more.					
	If you checked 0, enter on Line 27A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 27A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (These amounts are available at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)					
	Local Standards: transportation; additional public transportation expense. If you pay the operating					
27B	Transportation" amount from IRS Local Standards: Transportation. (This amount is available at					
	www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)  Local Standards: transportation ownership/lease expense; Vehicle 1. Check the number of vehicles for					
	which you claim an ownership/lease expense. (You may not claim an owner than two vehicles.)					
	$\square$ 1 $\square$ 2 or more.					
28	Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards:  Transportation (available at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 47; subtract Line b from Line a and enter the result in Line 28. <b>Do not enter an amount less than zero.</b>					
	a. IRS Transportation Standards, Ownership Costs	\$				
	Average Monthly Payment for any debts secured by Vehicle 1, as b. stated in Line 47	\$				
	c Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a				

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main Document B22C (Official Form 22C) (Chapter 13) (01/08) Page 33 of 36

<b>B22C</b> (	Official Form 22C) (Chapter 13) (01/08)				
29	Local Standards: transportation ownership/lease expense; Vehicle 2. Complete this Line only if you checked the "2 or more" Box in Line 28.  Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 47; subtract Line b from Line a and enter the result in Line 29. Do not enter an amount less than zero.				
	a. IRS Transportation Standards, Ownership Costs \$				
	Average Monthly Payment for any debts secured by Vehicle 2, as b. stated in Line 47 \$				
	c. Net ownership/lease expense for Vehicle 2 Subtract Line b from Line a	\$			
30	Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state, and local taxes, other than real estate and sales taxes, such as income taxes, self-employment taxes, social-security taxes, and Medicare taxes. Do not include real estate or sales taxes.	\$			
31	Other Necessary Expenses: involuntary deductions for employment. Enter the total average monthly				
32	Other Necessary Expenses: life insurance. Enter total average monthly premiums that you actually pay for term life insurance for yourself. Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.				
33	Other Necessary Expenses: court-ordered payments. Enter the total monthly amount that you are required to pay pursuant to the order of a court or administrative agency, such as spousal or child support payments. Do not include payments on past due obligations included in Line 49.				
34	Other Necessary Expenses: education for employment or for a physically or mentally challenged				
35	Other Necessary Expenses: childcare. Enter the total average monthly amount that you actually expend on childcare—such as baby-sitting, day care, nursery and preschool. Do not include other educational payments.				
36	Other Necessary Expenses: health care. Enter the total average monthly amount that you actually expend on health care that is required for the health and welfare of yourself or your dependents, that is not				
37	Other Necessary Expenses: telecommunication services. Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone				
38	<b>Total Expenses Allowed under IRS Standards.</b> Enter the total of Lines 24 through 37.	\$			

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main B22C (Official Form 22C) (Chapter 13) (01/08) Page 34 of 36

		Subpart B: Additional Note: Do not include any			
	expe	Ith Insurance, Disability Insurance, and Honses in the categories set out in lines a-c belo se, or your dependents.			
	a.	Health Insurance	\$		
	b.	Disability Insurance	\$		
39	c.	Health Savings Account	\$		
	Tota	l and enter on Line 39		_	\$
		ou do not actually expend this total amount pace below:	t, state your actual tot	al average monthly expenditures	in
40	Continued contributions to the care of household or family members. Enter the total average actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses. Do not include payments listed in Line 34.				
41	<b>Protection against family violence.</b> Enter the total average reasonably necessary monthly expenses that you actually incur to maintain the safety of your family under the Family Violence Prevention and Services Act or other applicable federal law. The nature of these expenses is required to be kept confidential by the court.				
42	Home energy costs. Enter the total average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities, that you actually expend for home energy costs. You must provide your case trustee with documentation of your actual expenses, and you must demonstrate that the additional amount claimed is reasonable and necessary.				
43	actua secon <b>trus</b> t	Education expenses for dependent children under 18. Enter the total average monthly expenses that you actually incur, not to exceed \$137.50 per child, for attendance at a private or public elementary or secondary school by your dependent children less than 18 years of age. You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in the IRS Standards.			
44	cloth Natio	itional food and clothing expense. Enter the ring expenses exceed the combined allowance on al Standards, not to exceed 5% of those conv.usdoj.gov/ust/ or from the clerk of the banks tional amount claimed is reasonable and n	es for food and clothin mbined allowances. (* ruptcy court.) <b>You m</b> u	ng (apparel and services) in the IF This information is available at	
45	chari	ritable contributions. Enter the amount reas itable contributions in the form of cash or find U.S.C. § 170(c)(1)-(2). Do not include any me.	ancial instruments to a	a charitable organization as define	ed \$

**Total Additional Expense Deductions under § 707(b).** Enter the total of Lines 39 through 45.

\$

46

Case 09-10125 Doc 1 Filed 03/24/09 Entered 03/24/09 22:56:12 Desc Main B22C (Official Form 22C) (Chapter 13) (01/08) Page 35 of 36

	Subpart C: Deductions for Debt Payment						
	<b>Future payments on secured claims.</b> For each of your debts that is secured by an interest in property that you own, list the name of the creditor, identify the property securing the debt, state the Average Monthly Payment, and check whether the payment includes taxes or insurance. The Average Monthly Payment is the total of all amounts scheduled as contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60. If necessary, list additional entries on a separate page. Enter the total of the Average Monthly Payments on Line 47.						
47		Name of Creditor	Property	Securing the Debt	Average Monthly Payment	Does payment include taxes or insurance?	
	a.				\$	☐ yes ☐ no	
	b.				\$	☐ yes ☐ no	
	c.				\$	☐ yes ☐ no	
				Total: Ad	ld lines a, b and c.		\$
	Other payments on secured claims. If any of debts listed in Line 47 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 47, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page.						
48		Name of Creditor		Property Securing the Debt		1/60th of the Cure Amount	
	a.					\$	
	b.					\$	
	c.				T . 1 . 1	\$	
					Total: Ac	ld lines a, b and c.	\$
49	such	nents on prepetition priority cl as priority tax, child support and ruptcy filing. Do not include cu	alimony	claims, for which you	ı were liable at the t	ime of your	\$
		pter 13 administrative expenses esulting administrative expense.	s. Multiply	y the amount in Line	a by the amount in l	Line b, and enter	
	a.	Projected average monthly Cha	pter 13 p	lan payment.	\$		
50	b.	Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at <a href="https://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)		for United States	X		
	c.	Average monthly administrative case	e expense	of Chapter 13	Total: Multiply Linand b	nes a	\$
51	Total	Deductions for Debt Payment. En	iter the to	tal of Lines 47 throug	gh 50.		\$
		S	ubpart D	: Total Deductions	from Income		

**Total of all deductions from income.** Enter the total of Lines 38, 46, and 51.

52

B22C (Official Form 22C) (Chapter 13) (01/08)						
		Part V. DETERMINATION OF DISPOSABLE INCOME UNDER	R § 1325(b)(2)			
53	Tota	<b>Total current monthly income.</b> Enter the amount from Line 20.		\$		
54	<b>Support income.</b> Enter the monthly average of any child support payments, foster care payments, or disability payments for a dependent child, reported in Part I, that you received in accordance with applicable nonbankruptcy law, to the extent reasonably necessary to be expended for such child.			\$		
55	<b>Qualified retirement deductions.</b> Enter the monthly total of (a) all amounts withheld by your employer from wages as contributions for qualified retirement plans, as specified in § 541(b)(7) and (b) all required repayments of loans from retirement plans, as specified in § 362(b)(19).			\$		
56	Tota	<b>Total of all deductions allowed under § 707(b)(2).</b> Enter the amount from Line 52.				
57	<b>Deduction for special circumstances.</b> If there are special circumstances that justify additional expenses for which there is no reasonable alternative, describe the special circumstances and the resulting expenses in lines a-c below. If necessary, list additional entries on a separate page. Total the expenses and enter the total in Line 57. You must provide your case trustee with documentation of these expenses and you must provide a detailed explanation of the special circumstances that make such expenses necessary and reasonable.					
		Nature of special circumstances	Amount of expense			
	a.		\$			
	b.		\$			
	c.		\$			
	Total: Add Lines a, b, and c					
58	<b>Total adjustments to determine disposable income.</b> Add the amounts on Lines 54, 55, 56, and 57 and enter the result.					
59	Monthly Disposable Income Under § 1325(b)(2). Subtract Line 58 from Line 53 and enter the result.			\$		
Part VI. ADDITIONAL EXPENSE CLAIMS						
	<b>Other Expenses.</b> List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses.					
		Expense Description	Monthly A	mount		
60	a.		\$			
	b.		\$			
	c.		\$			
		Total: Add Lines a, b and	c \$			
Part VII. VERIFICATION						
		I declare under penalty of perjury that the information provided in this statement is true and correct. (If this a joint case, both debtors must sign.)				
61	Date:	tte: March 23, 2009 Signature: /s/ Anthony O. Da Silva				
	Date:	Signature:				